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August 9, 1999

Attorney Docket No.: 07807/116001

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This paper is a request for a continuation under 37 C.F.R. 1.53(d) of

Applicant: Peter Bauer and Herbert Happe

Title: METHOD AND APPARATUS FOR CUTTING
BODIES HAVING A NON-CIRCULAR CROSS
SECTION

Prior U.S. application no: 08/659,046

Filing Date: 06/03/96

The prior application was complete as defined by 37 CFR 1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

The prior application was filed after June 8, 1995.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

Please enter the enclosed Preliminary Amendment.

The prior application is assigned of record to Synthes (U.S.A.), a Pennsylvania partnership, by virtue of an assignment submitted to the Patent and Trademark Office for recording on 06/03/96 at 8018/0237.

"EXPRESS MAIL" Mailing Label Number EI 37210023645

Reg. Ref#: 03/17/1999 SL100361 0012024300
D8659046 Date/Number: 08659046
Fees 704 \$30.00 CR

Date of Deposit AUGUST 9, 1999
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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This request includes 2 sheets, and the following:

Enclosures:

- Postcard
- Preliminary Amendment

The entire disclosure of the prior application is part of this application and is incorporated by reference.

Basic filing fee	790.00
Total claims in excess of 20 times \$22.00	0.00
Independent claims in excess of 3 times \$82.00	0.00
Fee for Multiple dependent claims	0.00
Total filing fee:	\$ 790.00

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at 212/765-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

John B. Pegram
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45 Rockefeller Plaza
Suite 2800
New York, NY 10111

Respectfully submitted,



John B. Pegram
Reg. No. 25,198
Enclosures
55873.N11



HJS Suppl 8/9/99
ATTORNEY DOCKET NO. 07807/116091
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bauer et al.

Art Unit: 3724

Serial No.: 08/659,046

Examiner: Dexter

Filed : 06/03/96

Title : METHOD AND APPARATUS FOR CUTTING BODIES HAVING A NON-CIRCULAR CROSS SECTION

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Washington, DC 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the claims as follows:

Cancel claims 6-8, 15 and 16.

Add new claim 17.

--17. A hand-held tool for shearing by transverse forces a body having a non-circular cross-section by the application of torsional force, said tool comprising upper and lower discs, each of said discs having an upper side and a lower side, said upper disc having opposing cutting edges in the form of a fixed slot at its lower side and said lower disc having opposing cutting edges in the form of a fixed slot at its upper side, said sides directly touching each other at said edges, each of said discs having a handle attached thereto for rotating said discs counter to one another about a rotation axis to apply a torsional shearing force on the body in a plane transverse to the longitudinal axis of the body, said slots extending from the

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Daleen Figueroa

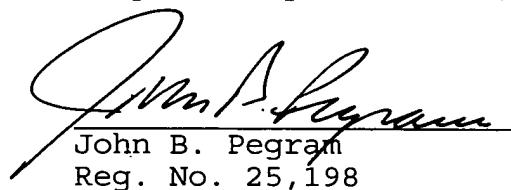
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TC 3700 MAIL ROOM

outer periphery of the respective discs and narrowing toward the center of the respective discs---

The Examiner is asked to take this amendment into consideration when examining the application.

Respectfully submitted,



John B. Pegram
Reg. No. 25,198

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